

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Seveso et al.
Application No.: 09/743,173
Filed: January 14, 2002
For: ENHANCED DELIVERY OF NUCLEIC ACID-BASED DRUGS

Confirmation No.: 5272
Group Art Unit: 1635
Examiner: Jon E. Angell

October 16, 2009

Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR REFUND OF FEE
UNDER 37 C.F.R. §1.26**

Sir:

Applicants respectfully submit this Request for Refund of Fees pursuant to 37 C.F.R. §1.26 in the amount of \$1,100.00.


On September 8, 2009, Applicants filed an Amendment After Final Action and a Request for a two month extension of with authorization to charge the \$490.00 fee to Deposit Account 50-0220 in reference to the captioned application. This amount was properly charged to the deposit account on September 8, 2009 (copy of transaction detail attached).

However, on September 14, 2009, our Deposit Account 50-0220 was charged additionally in the amount of \$1,100.00 in reference to the application above for five independent claims in excess of three (copy of transaction detail attached). The Amendment filed September 8, 2009 did not add any new claims. Thus, no excess claims fees were due.

In fact, the five independent claims in excess of three were added in the Amendment after Final Action filed March 27, 2007. A \$1,000 charge was made on that date to pay the excess claims fees (fee worksheet attached).

Applicants submit that the \$1,100.00 charge made on Deposit Account 50-0220 on September 14, 2009 was made in error by the USPTO. Accordingly, please credit Deposit Account No. 50-0220 in the amount of \$1,100.00 to refund this overpayment of fees.

Respectfully submitted,

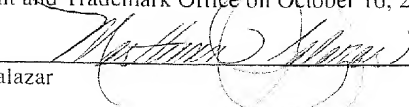

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CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on October 16, 2009.

Signature: 
Marthenn Salazar



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Transaction Details

Type:	Sale	Name/Number:	09743173
Status:	Active	Attorney Docket Number:	P24376 USA
Accounting Date:	09/08/2009		

Sale Items

Name/Number	Attorney Docket Number	Status	Quantity	Item Total	Payment Amount	Fee Code	Description
09743173	P24376 USA	Active	1	\$490.00	\$490.00	1252	EXTENSION FOR RESPONSE WITHIN SECOND MONTH

Payment Details

Payment Type	Total Payment Amount	Payment Date	Payment Amount (this sale)
Deposit Account	\$490.00	09/08/2009	\$490.00

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Transaction Details

Type:	Sale	Name/Number:	09743173
Status:	Active	Attorney Docket Number:	P24376 USA
Accounting Date:	09/14/2009		

Sale Items

Name/Number	Attorney Docket Number	Status	Quantity	Item Total	Payment Amount	Fee Code	Description
09743173	P24376 USA	Active	5	\$220.00	\$1,100.00	1201	INDEPENDENT CLAIMS IN EXCESS OF THREE

Payment Details

Payment Type	Total Payment Amount	Payment Date	Payment Amount (this sale)
Deposit Account	\$1,100.00	09/14/2009	\$1,100.00

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Sales Receipt for Accounting Date: 07/27/2009

FPATTERS	SALE	#00000001	Mailroom Dt: 03/27/2007	195425	09743173
		01	FC : 1201	1,000.00	DA